



09-21-04

IFW

Express Mail No. EV 447407521 US

Deposited on: 09/20/2004

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

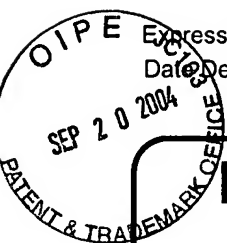
| | | |
|--|------------------------|-----------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/647,162 |
| | Filing Date | 08/22/2003 |
| | First Named Inventor | Donald E. Weder |
| | Group Art Unit | 3643 (Conf. No. 1490) |
| | Examiner Name | J. Gellner |
| Total Number of Pages in This Submission | Attorney Docket Number | 8403.964 |

| ENCLOSURES (check all that apply) | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Terminal Disclaimer | See remarks below: |
| | <input type="checkbox"/> Request for Refund | |
| | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| Remarks 1. Transmittal Form (1 page); 2. Fee Transmittal (1 page); 3. Fee Determination Record (1 page); 4. Election (2 pages); and 5. Postcard. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589 Attn: Kathryn L. Hester, Ph.D., P. O. Box 16370, Oklahoma City, Oklahoma 73113 |
| Signature | |
| Date | 9-20-04 |

| CERTIFICATE OF MAILING | |
|--|---|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. EV 447407521 US in an envelope addressed to the address below on this date: 09/20/2004 | |
| Typed or printed name | Kathryn L. Hester, Ph.D., Reg. No. 46,768 |
| Signature | Date 9-20-04 |

SEND TO: Mail Stop - Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Express Mail No.:
Date Deposited:

EV 447407521 US
09/20/2004

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 10/647.162 |
| Filing Date | 08/22/2003 |
| First Named Inventor | Donald E. Weder |
| Examiner Name | J. Gellner |
| Art Unit | 3643 |
| Attorney Docket No. | 8403.964 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

Dunlap, Codding & Rogers, P.C.
Customer No. 30589

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|--------------|----------------|----------|
| Total Claims | | ** = | X | \$0 |
| Independent Claims | | ** = | X | \$0 |
| Multiple Dependent | | | | \$0 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type) Kathryn L. Hester, Ph.D.

Registration No. 46,768
(Attorney/Agent)

(Complete if applicable)

Telephone (405) 607-8600

Signature

Date 09/20/2004

Mail Stop - Non-Fee Amendment
Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450

EXPRESS MAIL NO.: EV 447407521 US
DATE DEPOSITED: SEPTEMBER 20, 2004

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|----------------------------|---|--------------|------------|
| Applicant: Donald E. Weder |) | Atty Dkt No: | 8403.964 |
| |) | | |
| Serial No: 10/647,162 |) | Examiner: | J. Gellner |
| |) | | |
| Filed: August 22, 2003 |) | Art Unit: | 3643 |
| |) | | |
| For: DECORATIVE COVERING |) | | |
| FOR A POTTED PLANT |) | | |

Mail Stop - Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

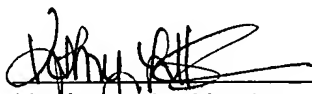
This is meant to be a complete response to the Office Action mailed August 31, 2004. In the Office Action, the Examiner stated that upon reconsideration of the claim language presented in the previous amendment filed June 15, 2004, the Examiner considered election of species proper. The Examiner noted the subject application contained claims directed to patentably distinct Species A-V.

Applicant elects Species P, Figs. 20-22. As all of the pending claims recite a sleeve having a half hexagonal shape in the lower end of the body thereof,

and that the body of the sleeve is absent a gusset in the lower end thereof,
Applicant respectfully submits that all pending claims read upon Species P.

Should the Examiner have any questions regarding this Amendment, or
the remarks contained herein, Applicant's agent would welcome the opportunity
to discuss such matters with the Examiner.

Respectfully submitted,



Kathryn L. Hester, Ph.D.
Registration Number 46,768
DUNLAP, CODDING and ROGERS, P.C.
Customer No. 30589
P.O. Box 16370
Oklahoma City, Oklahoma 73113
Telephone: (405) 607-8600
Facsimile: (405) 607-8686
E-Mail: kathryn_hester@okpatents.com
Web Site: www.okpatents.com

Agent for Applicant